

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOVAN CLAYBRON,

Plaintiff,

v.

Case No. 2:21-cv-11953

District Judge Mark A. Goldsmith

Magistrate Judge Kimberly G. Altman

EMMANUEL MONTGOMERY,
MICHAEL NELSON, DONALD
RICUMSTRICT, and ERICA RANSOM,

Defendants.

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**MEMORANDUM IN RESPONSE TO PLAINTIFF'S
LETTER DATED OCTOBER 9, 2023 (ECF No. 74)**

This is a prisoner civil rights case under 42 U.S.C. § 1983. Plaintiff Jovan Claybron (Claybron), currently incarcerated at the Woodland Center Correctional Facility (WCC) in Whitmore Lake, Michigan and proceeding *pro se*, has alleged Eighth Amendment and First Amendment violations against defendants Emmanuel Montgomery, Erica Ransom, Michael Nelson, and Donald Ricumstrict, (ECF No. 48), who have moved for summary judgment, (ECF No. 72). Under 28 U.S.C. § 636(b)(1), all pretrial matters were referred to the undersigned. (ECF No. 17).

Before the Court is a letter filed by Claybron on October 13, 2023, in which he states that he attempted to mail two motions for appointment of counsel that were returned to him opened and had not been filed with the Court. (ECF No. 74,

PageID.501). He also states that he had mailed motions in another case that were not received by the court. (*Id.*). He asks to court to confirm receipt of his motion for appointment of counsel, which he says that he mailed on September 23, 2023.

The Court has not received any motion for appointment of counsel from Claybron since his March 1, 2022 motion, (ECF No. 18), which was denied without prejudice on March 17, 2022, (ECF No. 20). For Claybron's convenience, the Court has enclosed a copy of the current docket report for this case which does not show any new motions for the appointment of counsel.

Claybron is also reminded that his response to defendants' motion for summary judgment is due on **November 7, 2023**. (ECF No. 73).

Dated: October 17, 2023
Detroit, Michigan

s/Kimberly G. Altman
KIMBERLY G. ALTMAN
United States Magistrate Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on October 17, 2023.

s/Carolyn M. Ciesla
CAROLYN M. CIESLA
Case Manager